

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
IN TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

KAREN M BEVENS,

Defendant.

CASE NO. 3:14-cr-05539-BHS

## ORDER REGARDING SENTENCING PROCEDURE

THIS MATTER comes before the Court on Defendant's conviction,

and the Court having set **8/15/2016** at 09:30 PM for sentencing,

it is hereby ORDERED:

**At least seven (7) days prior to the Sentencing Hearing, counsel**

shall inform the probation officer and the Courtroom Deputy. Gretchen

<sup>10</sup> Craft at (253) 882–3825, whether or not an evidentiary hearing

will be requested at the sentencing, and if so, whether witnesses will

called, who they will be, and an estimated length of the hearing.

1. A presentence report is to be prepared by the U.S. Probation

## Department

<sup>2</sup> Not less than thirty-five (35) days before the September Hearing, the

U.S. Probation officer shall furnish the presentence report to the Defendant, the Defendant's counsel and the attorney for the Government. Within fourteen (14) days after receiving the presentence report, the parties shall communicate in

writing to the Probation officer, and to each other, objections to any material, information, sentencing classifications, sentencing guideline ranges, and policy statements contained in or omitted from the presentence report. After receiving objections, the probation officer may require the parties to meet with the probation officer to discuss unresolved factual and legal issues. The probation officer may also conduct a further investigation and revise the presentence report as appropriate.

Not less than seven (7) days before the Sentencing Hearing, the probation officer shall submit the presentence report, as revised, together with any addendum setting forth any unresolved objections, the grounds for those objections, and the probation officer's comments on the objections and the sentencing recommendations, to all parties and the Court.

3. If the Government intends to file a §5K1.1 motion for substantial assistance, the motion must be served on all counsel and filed under seal fourteen (14) days prior to sentencing. In such event, the Government must also serve and file under seal a written statement of the nature and extent of the Defendant's cooperation. The Defendant may file, in response, his or her version of the Defendant's cooperation. Any such response by the Defendant must be filed at least seven (7) court days prior to sentencing, and may be included in the Defendant's sentencing memorandum.

4. In the event the Defendant wishes to provide a written statement accepting responsibility, the statement should be signed by the Defendant. The original should be provided to the U.S. Probation Department with a copy to counsel for the United States at least twenty-one (21) days before sentencing.

5. Counsel for the United States or for a Defendant shall serve copies of any sentencing memorandum or related documents upon all parties and upon the U.S. Probation Department at least seven (7) court days prior to sentencing.

DATED: May 2, 2016

s/ Benjamin H. Settle  
BENJAMIN H. SETTLE  
United States District Judge